



PATENT

Case Docket No. TRIPEP.028AUS

Date: June 25, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Matti Sallberg  
Appl. No. : 09/930,591  
Filed : August 15, 2001  
For : HEPATITIS C VIRUS NON-  
STRUCTURAL NS3/4 FUSION  
GENE  
Examiner : Li, Bao  
Group Art Unit : 1648

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 25, 2004

(Date)

Eric S. Furman, Ph.D., Reg. No. 45,664

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with nine (9) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Eric S. Furman, Ph.D.  
Registration No. 45,664  
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## INFORMATION DISCLOSURE STATEMENT

Applicant : Matti Sallberg  
App. No. : 09/930,591  
Filed : August 15, 2001  
For : HEPATITIS C VIRUS NON-  
STRUCTURAL NS3/4A FUSION GENE  
Examiner : Li, Bao  
Group Art Unit : 1648

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing nine (9) references that are also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/25/04

By: [Signature]

Eric S. Furman, Ph.D.  
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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. TRIPEP.028AUS	APPLICATION NO. 09/930,591
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Matti Sallberg	
		FILING DATE August 15, 2001	GROUP 1648

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	1	0 318 216	05/31/89	EP				
	2	WO 97/47358	12/18/97	PCT				
	3	WO 98/34640	08/13/98	PCT				
	4	WO 03/031588 A2	04/17/03	PCT				
	5	WO 03/031588 A3	04/17/03	PCT				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	6	Andre et al., "Increased Immune Response Elicited by DNA Vaccination with a Synthetic gp120 Sequence with Optimized Codon Usage," <i>Journal of Virology</i> , 72(2):1497-1503 (1998).
	7	DATABASE GENBANK [Online] 12/02/94, retrieved from NCBI Database accession no. I06434, XP002278035.
	8	DATABASE REGISTRY [Online] No. 511600-20-7, XP02278058 abstract & WO 03/031588A, 04/17/03, Seq ID No. 1, 10 and 11 claims
	9	Lazdina et al., "Humoral and CD4 <sup>+</sup> T helper (Th) cell responses to the hepatitis C virus non-structural 3 (NS3) protein: NS3 primes Th 1-like responses more effectively as a DNA-based immunogen than as a recombinant protein," <i>Journal of General Virology</i> , 82:1299-1308 (2001).

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	